

INTRADEPARTMENTAL CORRESPONDENCE

March 12, 2020
3.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OFFICER INVOLVED SHOOTING FID NO. 020-19

RECEIVED

MAR 17 2020 ✓

OFFICE OF THE INSPECTOR GENERAL

RECEIVED

APR 01 2020 ✓

OFFICE OF THE INSPECTOR GENERAL

RECEIVED

MAR 24 2020

#429

OFFICE OF SPECIAL OPERATIONS

Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 020-19. A Use of Force Review Board (UOFRB) was convened on this matter on February 20, 2020. I have reviewed and adopted the recommendations from the UOFRB for this incident. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY¹

On May 20, 2019, Officers W. Hawkins, Serial No. 25889, and R. Lucero, Serial No. 43804, Southeast Patrol Division, were in full uniform, driving a marked black and white police vehicle while conducting traffic enforcement in the area of South Broadway and 108th Street in Southeast Area.

Officer Lucero had been assigned to Southeast Patrol Division for two weeks after completion of his police academy training. Officer Hawkins was Officer Lucero's assigned Field Training Officer and they had worked together on four prior occasions. Officers Hawkins and Lucero discussed tactics at the start of watch, which included Officer Hawkins responsibilities as the contact officer and Officer Lucero's responsibilities as the cover officer. They also discussed pedestrian stops and vehicle stop tactics.

According to the FID investigation, at approximately 22:58:47 hours, Officers Hawkins and Lucero were driving south on South Broadway north of 108th Street when they observed a mid-2000s BMW sport utility vehicle (SUV) traveling eastbound on 108th Street. Officers Hawkins and Lucero observed the black BMW SUV *negotiate a right-hand turn against a red light* in violation of California Vehicle Code (CVC) 21453(a) – failure to stop at a red light. This caught the attention of both officers. Officer Hawkins stated he alerted Officer Lucero of the BMW, the traffic violation that was committed, and his intention to conduct a traffic stop. The BMW negotiated a right turn onto 109th Street and then negotiated a second right turn into the north-

¹ The summary and the investigation completed by FID for this incident have been provided to the Board of Police Commissioners.

south alley west of South Broadway. At approximately 22:59:19 hours, the BMW pulled into the rear parking lot of 10819 South Broadway and parked.

According to Officer Hawkins, after observing the traffic violation, he caught up to the BMV as it made a right turn westbound on 109th Street and noticed the BMW was *basically making a U-turn, a large one block U-turn*. Officer Hawkins had been assigned to the geographic area of Southeast Division since 2007 and was *aware of the area* as well as *the terrain*. Based on Officer Hawkins' training and experience, Officer Hawkins believed the BMW was *probably headed back to the location* it was coming from. When Officer Hawkins was close enough to the BMW, he was able to confirm that the BMW *didn't appear to have California plates*, but rather dealer paper plates. Officer Hawkins had received information *during roll call training about dealer paper plates* and was aware the information would not be available through a standard license plate query over the police vehicle's Mobile Digital Computer (MDC).

According to Officer Hawkins, as the BMW pulled into the rear parking lot of 10819 South Broadway, based on his experience working the area, he believed the occupants of the vehicle might attempt to *get inside a residence* or *flee the traffic stop altogether*. Officer Hawkins was mindful that it was Officer Lucero's fifth working day in the field and that Officer Lucero may not be sure of their location or a plan once Officer Hawkins and Officer Lucero conducted their vehicle stop. Officer Hawkins positioned his police vehicle in the alley, *kind of blocking the entrance so the car (BMW) can't reverse*.

According to Officer Hawkins, he positioned his police vehicle in this manner to be visible and *easy to spot* in case Officer Hawkins needed to request additional resources. Additionally, Officer Hawkins stated he did not have the *opportunity to activate* his emergency lights or sirens and utilized his *high beams* to get the *attention* of the BMW. Officer Hawkins indicated he was unable to go *Code 6* due to having to activate his Body Worn Video (BWV) and Digital In-Car Video (DICVS), as well as to *get out* and to *be ready to engage and cover the car*.

According to Officer Lucero, he was the passenger officer in the police vehicle and observed the BMW fail to stop at the red light on South Broadway from 108th Street. Officer Lucero attempted to conduct a license plate query on the BMW, but the BMW had *new plates* and the return did not provide any *further information about the vehicle*. As the BMW pulled into the rear parking lot of 10819 South Broadway, Officer Lucero believed Officer Hawkins had activated the lights and siren on their police vehicle. Officer Lucero believed Officer Hawkins went Code Six when the officers *were in the alley*.

Note: According to the FID investigation, Officer Hawkins did not activate the lights or siren of their police vehicle and neither officer had broadcast their Code-Six location (**Debriefing Point No. 1 – Code Six and Debriefing Point No. 2 – Tactical Vehicle Deployment**).

According to the FID investigation, Officer Hawkins approached the BMW on the driver's side as Officer Lucero approached the passenger's side. There was another vehicle parked adjacent to the right of the BMW, with an occupant seated inside. Officer Hawkins began to converse

with the driver, later identified as N. Cooper², who already had his identification in his hand. Officer Lucero began conversing with the passenger of the BMW, later identified as J. Mitchell³. Officer Lucero was positioned next to the front passenger door and used his flashlight to illuminate the inside of the BMW in order to visually clear the area (**Debrief Point No. 3 – Vehicle Stop Tactics and Additional Tactical Debrief Topic – Situational Awareness**).

According to Officer Hawkins, as he was conversing with Cooper who provided Officer Hawkins with his identification and vehicle paperwork, he *heard* his *partner* order Cooper to *straighten his leg*. Officer Hawkins focused on Cooper and his interaction with Officer Lucero. Officer Hawkins observed that Cooper had become *defensive* and began *talking back* to his *partner*. As Cooper was arguing back and forth with Officer Lucero, Officer Lucero alerted Officer Hawkins by stating, “Gun. Hey partner, he’s got a gun in the car.”⁴ Officer Hawkins believed Cooper had the firearm *under his left leg* based on Officer Lucero’s orders to Cooper.

According to Officer Lucero, he observed that from the beginning of their traffic stop, Cooper was *looking back and forth* at him *and* his *partner* and became *very agitated* and *defensive* as Officer Lucero was looking inside the BMW with his flashlight. Officer Lucero believed he observed the *butt of a gun upside down* in the driver’s side door *pocket* and started to focus on that area of the BMW. Officer Lucero asked Cooper to move his left leg so Officer Lucero could get a better viewing angle on the door. Cooper was uncooperative but did eventually move his leg. Cooper’s leg hit the door, which *pushed the gun*, allowing Officer Lucero to positively *identify it*. Officer Lucero communicated to his partner and stated, “Partner, gun.”

According to the FID investigation, Officer Lucero’s BWV captured him stating, “Hey partner, I think we got a gun in the car.” Both Officers Hawkins and Lucero immediately unholstered their service pistols. Cooper turned on the engine of the BMW, put the BMW into reverse gear, and began backing up the BMW. Cooper turned to Officer Hawkins and stated, “Don’t shoot me sir.” Officer Hawkins replied, “I will shoot you.” Cooper stopped the BMW and appeared to reach down with his right hand to shift the BMW into park. Officer Hawkins pointed his service pistol at Cooper and stated, “Don’t reach man.” Cooper replied by saying, “I ain’t got no gun.” Officer Hawkins responded by saying, “If you ain’t got no gun, you got nothing to worry about.” At 23:02:29 hours, Officer Hawkins broadcast, “A41 requesting a back-up, 108 and Broadway in the north-south alley, west of Broadway” (**Drawing/Exhibiting**).

The FID investigation revealed that Officer Lucero’s BWV captured Cooper stating, “I don’t have no gun. I’m getting out of the car,” while Cooper was holding his hands up. Cooper reached for the inside door handle with his left hand and opened the door. Officer Lucero, while holding his service pistol in a low ready position and illuminating the passenger compartment of the BMW with his flashlight, ordered Cooper to stay inside of the BMW. Officer Hawkins communicated to Officer Lucero that he was allowing Cooper to get out of the BMW. Cooper then opened the door using his left hand to pull the inside door handle.

² The FID investigation determined that Norvell Cooper was an active member of the Paybacc Crips criminal street gang with the moniker of “Shadow.”

³ The FID investigation revealed that Mitchell was the registered owner of the BMW.

⁴ Based on Officer Hawkins statement made to FID investigators.

According to Officer Lucero, he believed Cooper opened the driver's side door by reaching through the open window with his left hand and opening the door from the outside.

The FID investigation revealed that as Cooper exited the BMW, Officer Hawkins grabbed Cooper's left wrist using his left hand. Cooper broke free of Officer Hawkins grasp and as Cooper moved east on foot, an OIS occurred involving both Officers Hawkins and Lucero **(Additional Tactical Debrief Topics - Initiating Physical Contact While Holding a Service Pistol)**.

According to Officer Hawkins, as he grabbed Cooper's left wrist with his left hand, Officer Hawkins held his service pistol in his right hand in a close contact position⁵ near his right hip. Officer Hawkins had observed that there had been a *gun sitting on the driver's seat*.⁶ Officer Hawkins felt Cooper *tense up and attempt to pull away*. Officer Hawkins was no longer able to *see the gun* on the driver's side seat that Officer Hawkins had previously observed. Officer Hawkins then observed *the butt of the gun* in Cooper's right hand as Cooper *turned* his body to *his left* towards Officer Hawkins. Officer Hawkins believed Cooper was turning towards him to *point the gun at* Officer Hawkins and shoot him. Officer Hawkins believed that if he did not *react to Cooper's movements and protect himself*, Officer Hawkins would *be shot*. Officer Hawkins responded by discharging his service pistol and firing two rounds from three feet away **(Lethal Use of Force – Volley One)**.

According to Officer Hawkins, Cooper fled east on foot down the walkway and *maneuvered around the BMW's open vehicle door*. Officer Hawkins observed Cooper turning *towards* him *again with the gun* in Cooper's right hand *and believed he was still coming up to shoot at* Officer Hawkins. Officer Hawkins responded by firing a third round. Officer Hawkins believed he was standing approximately eight feet away from Cooper when Officer Hawkins fired his third round **(Lethal Use of Force – Volley Two)**.

Note: The FID investigation revealed that Officer Hawkins held his service pistol in his right hand and fired two rounds at Cooper. Officer Hawkins' first two rounds were fired from a one-handed close-contact position from three feet away and his third round was fired from a two-handed shooting position from approximately 21 feet away. During the UOFRB, FID investigators presented that Officer Hawkins fired all three rounds in 2.5 seconds.

According to Officer Lucero, he observed Cooper *reach* for the firearm in the driver's side door pocket with *his left hand* as Cooper exited the BMW. Officer Lucero heard Officer Hawkins state, "Turn around," and then heard a single gunshot. Officer Lucero believed Cooper had armed himself with the firearm and shot *his training officer* (Officer Hawkins). As Cooper fled east on foot, Cooper was holding his left arm bent at the elbow with his forearm across his body parallel to the ground. Cooper made *eye contact* with Officer Lucero and as Cooper was

⁵ The Close Contact position is a technique where the firearm is held close to the body, with the arm bent at an approximate 90-degree angle. This position allows the officer to keep the firearm further away from a suspect.

⁶ According to the FID investigation, neither Officer Hawkins nor Officer Lucero's BWV device captured a firearm on the driver's seat.

running, Cooper was *pointing the gun*. Cooper turned to his right facing Officer Lucero. Officer Lucero *feared for his life* and believed Cooper was going to shoot him. Officer Lucero also *feared for his partner's safety* and believed Cooper *had already shot his partner* (Officer Hawkins). Officer Lucero was *really scared and terrified* and *thought Cooper was going to kill him*. Officer Lucero fired three rounds at Cooper (**Lethal Use of Force**).

Note: The FID investigation revealed that neither officers' BWV captured Officer Hawkins stating, "Turn around."

The FID investigation determined that all three of Officer Lucero's rounds were fired from a one-handed shooting position in a time span of seven-tenths of a second, from an increasing distance of 14 to 18 feet.⁷

According to the FID investigation, immediately following the OIS, Officer Hawkins followed behind Cooper at a slow pace. Officer Lucero moved quickly around the front of the Cooper's vehicle, opened the driver's side door, and removed a firearm from the driver's side door pocket. Officer Lucero secured the firearm in the right rear pants pocket and followed Officer Hawkins. Officer Lucero joined Officer Hawkins at the front of 10819 South Broadway. Officer Hawkins broadcast, "Got an armed suspect, he's running on Broadway from 109th Street. He's a male Black, he's wearing a red shirt. I got shots fired," (**Additional Tactical Debrief Topics – Running past an Unsearched/Occupied Vehicle, Tactical Communication, and Separation**).

According to Officer Hawkins, he believed he had *struck* Cooper during the OIS and that Cooper had *physically reacted to being struck*. As Cooper fled east on foot, Officer Hawkins was concerned about *public safety* and making sure Cooper was *contained*. Officer Hawkins attempted to *keep him* (Cooper) *in sight* and believed Cooper was *still armed*. Officer Hawkins broadcast Cooper's description and direction of travel for responding units to contain Cooper and set up a perimeter. Officer Lucero notified Officer Hawkins that he had recovered a firearm.

According to Officer Lucero, immediately after the OIS, he moved around the front of the BMW to *double check* and see if the firearm was *still* in the driver's side door pocket or if Cooper had *dropped it*. Officer Lucero located the firearm in the driver's side door pocket and recovered it, placing it in his *rear right pocket*. Officer Lucero then immediately followed his partner east on foot. As he followed Officer Hawkins, Officer Lucero observed individuals coming out of 10819 South Broadway. Officer Lucero contacted Officer Hawkins and notified him that he had recovered a firearm, at which time Officer Hawkins advised Officer Lucero to keep it secured (**Additional Tactical Debrief Topic – Preservation of Evidence**).

The FID investigation revealed that Officer Hawkins and Lucero returned to the scene of the OIS and observed Mitchell still seated in the front passenger seat of the BMW. Officer Lucero

⁷ According to Officer Lucero, he believed he utilized the Harries Flashlight Technique as he fired his three rounds. The Harries Flashlight Technique involves holding the flashlight with your support hand, bringing your support hand underneath the firearm, and putting your hands back-to-back to maintain pressure while bringing both your wrists and the back of your hands together.

ordered Mitchell to exit the BMW and took her into custody without incident, securing Mitchell in the back of his police vehicle. Additional patrol units responded to the incident and a perimeter was established south of the location where the OIS occurred.

Sergeant G. Ruiz, Serial No. 37408, Southeast Patrol Division, responded to the “help call” from Southeast Community Police Station. He was the first supervisor to arrive at the scene, broadcast he was Code-Six, and declared himself as the Incident Commander (IC). Sergeant Ruiz located both Officer Hawkins and Officer Lucero in the rear alley and confirmed they had both been involved in an OIS. Sergeant Ruiz directed Officer Lucero to turn off his BWV, took custody of the BWV, and took responsibility for monitoring and separating Officer Lucero. Sergeant Ruiz took Officer Lucero’s Public Safety Statement (PSS).

Sergeant A. Castellanos, Serial No. 40202, Southeast Patrol Division, arrived at the crime scene at 2310 hours and was advised by Sergeant Ruiz to monitor and separate Officer Hawkins. Sergeant Castellanos took possession of Officer Hawkins’ BWV device and obtained Officer Hawkins’ PSS.⁸

Supervising Detective A. Chin, Serial No. 32250, Southeast Area Detectives, arrived at the scene, donned protective gloves, and physically recovered Cooper’s firearm from Officer Lucero’s right, rear pants pocket. The firearm was subsequently placed in a large manila envelope and secured in the trunk of Detective Chin’s police vehicle.

Sergeant J. Ortiz, Serial No. 36127, Southeast Patrol Division, responded to the location where Cooper was taken into custody. Sergeant Ortiz assessed the scene and current assigned roles, and then facilitated setting up the Command Post near the OIS and perimeter location, which provided for sufficient ingress and egress routes. Additionally, Sergeant Ortiz took over as the IC and assisted with providing information and notifications to the watch commander, Sergeant J. Cohen, Serial No. 38352, Southeast Patrol Division. Sergeant Ortiz directed responding personnel to verify inner and outer perimeter containment and location of assigned units.

Sergeant Cohen notified the Department Operations Center (DOC) of the Categorical Use of Force (CUOF) incident and made other appropriate notifications.

According to the FID investigation, Officers N. Sanchez, Serial No. 36346, and B. Placek, Serial No. 43812, Southeast Patrol Division, and Officers J. Martinez, Serial No. 37400, and G. Tudor, Serial No. 43785, 77th Street Patrol Division, responded to the “help call” and were positioned on the perimeter. Cooper was spotted by Officers Sanchez and Placek who yelled for Cooper to stop. Cooper was taken into custody without further incident. Officer Sanchez’ BWV captured Cooper stating, “I got shot by the police for running. I had a gun on me. I know I had a gun on

⁸ According to the FID investigation and as indicated on Sergeant Castellanos’ chronological log on his Supervisor’s Daily Report, dated May 20, 2019.

me.” Officer Sanchez asked Cooper if he had a firearm on him, to which he replied, “They got the gun. They shot me for no reason. I left the gun in the car.”⁹

The FID investigation determined that at 23:09:57 hours, a 77th Street Patrol Division unit who had responded to the “Help” call, requested a Los Angeles Fire Department (LAFD) Rescue Ambulance (RA) for Cooper, who had sustained multiple gunshot wounds.

According to the FID investigation, at approximately 23:15 hours, LAFD RA No. 64 arrived at scene and began treating Cooper. Sergeant Castellanos transported Officer Hawkins to Cooper’s location for a field show-up, prior to Cooper’s transport. Cooper was positively identified by Officer Hawkins. Cooper was then transported by RA to Harbor-University of California Los Angeles (UCLA) Medical Center. Officer Sanchez rode in the ambulance with Cooper as Officer Placek followed in a police vehicle.

The FID investigation revealed Cooper had sustained multiple gunshot wounds to the following areas: Cooper’s left chest nipple, right scrotum, penile head, left arm, bilateral calves, and left thigh. The information regarding Cooper’s injuries was limited to medical records; thus the FID investigation was unable to determine the direction or wound track of the injuries.

During the UOFRB, FID investigators presented that no second firearm was recovered during the investigation.¹⁰

FINDINGS

Tactics – Administrative Disapproval, Officer Hawkins. Tactical Debrief, Officer Lucero.

Drawing/Exhibiting – In Policy, No Further Action, Officer Hawkins and Officer Lucero.

Lethal Use of Force – In Policy, No Further Action, Officer Hawkins and Officer Lucero.

ANALYSIS¹¹

Detention

Officers Hawkins and Lucero were dressed in full uniform and driving a marked black and white police SUV while conducting traffic enforcement in the area of South Broadway and 108th Street. They observed the BMW fail to stop at a red light in violation of CVC 21453(a) – failure to stop at a red light. The officers attempted to conduct a license plate query, prior to conducting the traffic stop for the aforementioned traffic violation, however, the BMW had paper plates

⁹ Officer Tudor was injured during the incident, not related to any physical contact with Cooper and was not interviewed after the incident. Officer Tudor was terminated from employment, not related to this incident; therefore, Officer Tudor was not interviewed regarding this incident.

¹⁰ A visual search was conducted for a second firearm, however, there was no canine requested or utilized in the search.

¹¹ The analysis reflects my recommendations as supported by the preponderance of the evidence established by the investigation.

affixed to the vehicle, so they were unable to do so. The BMW stopped in the rear parking lot of 10819 South Broadway and the officers conducted an investigation. During the encounter, Officer Lucero observed a firearm in the driver's side door pocket of the BMW. Officer Lucero communicated to Officer Hawkins that there was a firearm in the BMW. Cooper attempted to put the vehicle in reverse and flee as Officers Hawkins and Lucero drew their service pistols. Officer Hawkins broadcast a back-up request for a man with a firearm. As Cooper exited the driver's side door, an altercation occurred between Cooper and Officer Hawkins and an OIS involving both Officers Hawkins and Lucero subsequently took place. The officers' actions were legal, appropriate, and within Department standards.

Tactics

Department policy relative to Tactical Debriefs is: *"The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance" (Los Angeles Police Department Manual, Volume 3, Section 792.05).*

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

Tactical De-Escalation

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication*

(Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

Planning – Officers Hawkins and Lucero had worked together four times prior to this incident. Officer Lucero had been assigned for approximately two weeks to Southeast Patrol Division

after completing his academy training. Officers Hawkins and Lucero discussed basic tactical concepts including the responsibilities of the contact officer, the cover officer, pedestrian stops, and vehicle stop tactics. During the vehicle stop, Officers Hawkins initiated contact with Cooper while Officer Lucero remained alert as the cover officer. The officers would have benefitted from a more specific plan to handle the two occupants inside of the BMW. Other than basic roles of contact and cover officer, no additional planning was discussed as Officers Hawkins and Lucero were entering the alley. Officer Hawkins directed incoming resources to locations for containment on a perimeter.

Assessment – Officers Hawkins’ and Lucero’s first assessment began when they observed the BMW make a right turn onto South Broadway without stopping at the marked limit line at a red tri-light, in violation of CVC 21453(a) - failure to stop at a red light. As the officers attempted to close the distance and conduct a license plate query prior to conducting a traffic stop, they observed that the BMW had paper plates and were unable to complete their query. The BMW made two rapid right turns and pulled into the rear parking area of 10819 South Broadway. Officer Hawkins assessment was that the occupants might flee into the residential building and directed Officer Lucero to get out of the police vehicle. Both officers continued to assess the incident as they engaged in their investigation of Cooper and Mitchell. As Officer Hawkins verified documentation provided by Cooper,¹² Officer Lucero observed the “butt” of a firearm in the driver’s side door pocket as he visually cleared the inside of the BMW. Cooper later exited, was involved in an OIS with Officer Hawkins, and then fled from the location. Believing Cooper was still armed with a firearm when fleeing, Officer Hawkins was concerned with locating Cooper due to the danger to public safety. Officer Lucero heard a gunshot, and in his assessment, believed Officer Hawkins had been shot after having seen Cooper reaching in the vicinity of the door containing the firearm and prior to exiting the BMW. After Cooper fled on foot, Officer Lucero responded to the driver’s side of the BMW to assess if the firearm had been dropped or remained in the BMW. Officer Lucero subsequently located and recovered a firearm inside of the BMW.

Responding Officers Placek and Sanchez located Cooper who was attempting to flee on foot from the vicinity. The officers assessed Cooper’s actions and used appropriate tactics to take Cooper into custody without further incident.

Time – Upon making contact with the occupants in the BMW, Officer Hawkins took time to communicate with Cooper and Mitchell; however, as Cooper became agitated, the situation escalated. Cooper escalated the incident through his increasingly argumentative, agitated, and aggressive behavior by then placing the BMW into reverse and attempting to flee from the location, significantly reducing the time Officers Lucero and Hawkins had to react. Officer Hawkins requested additional resources to afford them more options. Cooper exited the BMW and faced Officer Hawkins as Officer Lucero warned Officer Hawkins that there was a firearm present. Believing Cooper was armed and posing a deadly threat, Officer Hawkins discharged his service pistol. Cooper escalated the incident quickly and without warning, reducing the

¹² The UOFRB opined that Officer Hawkins positioning himself at the driver’s side window, while reviewing the documents Cooper provided, was neither preferred nor part of the Department’s standardized training curriculum (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).

officers' ability to respond and limiting Officer Hawkins and Lucero's tactical options. While Cooper initiated his exiting of the BMW which resulted in the reduction of time for Officers Hawkins and Lucero to react, it would have been preferable that the officers had taken greater control of Cooper, such as trying to keep him in the BMW, which may have allowed them more time to control the incident.

Redeployment and/or Containment – Officer Lucero communicated his observation of a firearm to Officer Hawkins and as they drew their service pistols, Cooper turned the BMW ignition on and began reversing the BMW. Cooper's moving of the BMW caused the officers to be positioned toward the front of the BMW. Officers Hawkins and Lucero could see Cooper's hands and Officer Hawkins made the decision not to re-deploy to a different position of cover because Officer Hawkins believed it would provide Cooper time to arm himself and place the officers at a tactical disadvantage. Cooper stopped the BMW, placed the vehicle into park and turned off the ignition, but proceeded to exit the BMW by opening the driver's side door. Officer Hawkins stepped away from Cooper to give Hawkins some space between himself and Cooper. As Cooper fled east of the location, Officer Hawkins attempted to keep a visual of Cooper and requested units for containment and a perimeter. In this case, the officers may have benefitted from re-deploying to a position of cover from the BMW and transitioning to High Risk Vehicle tactics,¹³ such as redeploying behind the police vehicle's ballistic door panels, which would have afforded them additional distance as well as possible cover.

Other Resources – Officer Hawkins broadcast a request for a back-up after Officer Lucero identified that there was a firearm inside of the BMW and Cooper became uncooperative. This broadcast caused nearby units, a police air unit, and supervisors to respond to the location. After the OIS occurred, Officer Hawkins upgraded his request to a "help call," causing neighboring divisions to respond, as well as a night watch detective to assist with the handling of evidence at the scene. Some of the additional officers who responded located Cooper and took him into custody. Medical treatment was requested for Cooper upon his arrest and LAFD responded to render immediate emergency medical aid.

Lines of Communication – Officers Hawkins and Lucero communicated their observations of the BMW's traffic violation to each other and their intention to stop the vehicle for the aforementioned violation. Neither Officer Lucero nor Hawkins broadcast their Code Six location to Communications Division (CD). Officer Hawkins clearly and calmly opened up a dialogue with Cooper, while Officer Lucero communicated his observation of the firearm in the BMW. Officer Hawkins warned Cooper to not back into the police vehicle, to turn off the BMW's ignition, and not to reach for anything. Officer Hawkins broadcast a request for a Back-up for an armed suspect and then upgraded his request to a "help call" after the OIS and Cooper had fled. Officer Hawkins broadcast Cooper's description, direction of travel, and that shots had been fired. Officer Hawkins directed incoming resources into areas for containment. Officer Lucero advised Officer Hawkins that he had recovered a firearm from the BMW. Officer Lucero directed Marshall to exit the BMW and handcuffed her. While Officers Hawkins and Lucero established lines of communication with both Cooper and Marshall, they would have benefitted from broadcasting their Code Six location to other personnel in the area.

¹³ California Commission on Peace Officers Standards and Training, Learning Domain No. 22.

The UOFRB determined, and I concur, that Officers Hawkins and Lucero attempted to de-escalate this incident involving Cooper through continuous verbalization during the incident; however, Cooper's agitated demeanor, attempt to flee in the BMW, and insistence in exiting the vehicle had rapidly escalated the situation for Officers Lucero and Hawkins. The officers' available time was reduced by the escalating and persistent threat Cooper presented to them.

During a review of the incident, the following Debriefing topics noted:

Debriefing Point No. 1 Code Six (Substantial Deviation – Officer Hawkins, Substantial Deviation with justification – Officer Lucero)

When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.

Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances, which will make the unit unavailable for assignment to a priority call.

These circumstances may include.

- *Suspect in custody;*
- *Primary unit at a crime scene; and/or,*
- *Required at a back-up, assistance, or help location.*

Note: *The unit shall notify the dispatcher as soon as it is again available for radio calls (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

Officers Hawkins and Lucero did not advise CD of their Code Six location when they conducted a traffic stop on the BMW occupied by Cooper and Mitchell.

The purpose of going Code Six is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel. Traffic stops are inherently dangerous. The identity and actions of a person stopped are often unknown, and as in this case, their actions can be unpredictable.

The UOFRB discussed the importance of notifying CD of their Code Six location due to the lack of available vehicle information. Officer's Hawkins and Lucero had no license plate information with which to conduct a DMV query and did not know the BMW's status when the officers approached.

In this case, the officers had sufficient time to broadcast their Code Six location, as well as other relevant information, including the description of the BMW, prior to approaching the BMW and initiating contact. There was no initial exigency that would have prevented the officers from having sufficient time to notify CD of their Code Six location. I would have preferred for

Officer Lucero to have broadcast their Code Six location just prior to exiting the police vehicle or alternatively for Officer Hawkins to broadcast the Code Six location once they stopped their vehicle.

Based on the totality of the circumstances, the UOFRB determined and I concur that Officer Hawkins, despite having the time and opportunity to do so, and having had thorough knowledge of the terrain and area as a senior officer, failed to notify CD of their location or advise Officer Lucero to do so, resulting in a substantial deviation, without justification, from approved Department tactical training.

The UOFRB considered Officer Lucero's probationary status, two weeks in the field, his lack of knowledge of the area, having worked only four days with Officer Hawkins, and that Officer Lucero was under the guidance and direction of a highly tenured training officer. Officer Lucero believed Officer Hawkins placed them Code Six, however, he did not confirm this with Officer Hawkins. The UOFRB determined, and I concur, that Officer Lucero's failure to notify CD of their location, was a substantial deviation, with justification, from approved Department tactical training.

I will direct that this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 2 Tactical Vehicle Deployment (Substantial Deviation – Officer Hawkins)

Patrol officers must select a safe and tactical position for the placement of the patrol unit (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).

Officer Hawkins stopped the police vehicle facing in a northeast direction, perpendicular to and behind the BMW which was parked facing eastbound.

When conducting a vehicle stop, it is critical to properly position the police vehicle in order to provide officers a tactical advantage afforded by the vehicle itself and its equipment.

Officer Hawkins placed himself and his partner at a significant tactical disadvantage by positioning the police vehicle behind the BMW in a perpendicular formation. Additionally, Officer Hawkins did not activate any emergency lights, overhead lights, or spotlights. However, even if Officer Hawkins had done so, the positioning of the police vehicle would have limited the effectiveness of the police vehicle's illumination devices. Officer Hawkins indicated he was conducting a traffic stop, and in this case, neither Cooper nor Mitchell exited the BMW or made any initial movements that prevented Officer Hawkins from taking the time afforded to him to place the police vehicle in the most advantageous tactical position.

In this case, I would have preferred that Officer Hawkins had placed his police vehicle in a more offset position and facing towards the rear of the BMW. Positioning the police vehicle more effectively, as well as activating the police vehicle's emergency lights, would have allowed the use of the police vehicle doors as cover. It would have also allowed the police vehicle's

illumination devices to be utilized to their full capabilities, thus increasing the visibility inside of the BMW and assessment of potential hazards.

Based upon the totality of the circumstances, the UOFRB determined, and I concur, that Officer Hawkins positioning of his police vehicle was a substantial deviation, without justification, from approved Department tactical training. I will direct this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 3 Vehicle Stop Tactics (Substantial Deviation – Officer Hawkins)

Conducting vehicle pullovers can be one of the most dangerous duties a peace officer performs. Violence related to vehicle pullovers is among the leading causes of peace officer injuries and deaths. Because of the frequency of vehicle pullovers, peace officers can come to regard such tasks as “routine.” Such complacency compromises officer safety by causing officers to ignore danger signs during vehicle pullovers. Peace officers should handle all vehicle pullovers with caution and always keep in mind that no vehicle pullover is “routine” (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).

When handed Cooper’s identification and vehicle paperwork, Officer Hawkins began to immediately inspect the paperwork at the driver’s side window rather than re-deploying to his police vehicle or another source of cover, increasing Officer Hawkins’ physical vulnerability and dividing Officer Hawkins’ attention.

Officer Hawkins placed himself at a tactical disadvantage by inspecting Cooper’s identification and documentation while standing at the driver’s side window. By standing and inspecting the documentation in that position, Officer Hawkins attention was alternately focused among Cooper, Mitchell, and the documents. This potentially exposed Officer Hawkins to the actions of either Cooper or Mitchell. Cooper was initially cooperative, which afforded Officer Hawkins time to return to his police vehicle and verify the information provided to him.

In this case, I would have preferred Officer Hawkins take Cooper’s documentation to the cover provided by the police vehicle in accordance with Department training and tactics. By doing so, Officer Hawkins would have increased his distance to the BMW and afforded himself some cover, allowing additional time to respond to any actions or threats presented by either Cooper or Mitchell.

Based upon the totality of the circumstances, the UOFRB determined, and I concur, that Officer Hawkins’ vehicle stop tactics were a substantial deviation, without justification, from approved Department tactical training. I will direct this be a topic of discussion during the Tactical Debrief.

Additional Tactical Debrief Topics

Initiating Physical Contact While Holding a Service Pistol – The investigation revealed that Officer Hawkins had his service pistol drawn when Cooper exited the driver’s side door. Officer Hawkins used his left hand to grasp Cooper’s left hand. Officer Hawkins is reminded that

initiating physical contact with a suspect, while holding a service pistol, may inhibit an officer's ability to utilize other force options or to de-escalate. There is also an increased risk the suspect could gain control of the service pistol. I will direct this be a topic of discussion during the Tactical Debrief.

Running Past an Unsearched/Occupied Vehicle – The investigation revealed that Officers Hawkins and Lucero moved past the BMW while following Cooper in containment mode. The BMW had not been searched and Mitchell remained inside seated in the passenger seat. Officer Lucero did locate and secure the firearm he had initially observed in the driver's side pocket door; however, Mitchell was still left unattended and unsecured in the passenger seat of the vehicle. In response to Cooper fleeing and believing that Cooper remained armed, Officers Hawkins and Lucero followed Cooper to maintain visual contact. Officer Lucero and Hawkins are reminded of the dangers of leaving additional unsearched suspects inside of unsearched vehicles. I will direct this be a topic of discussion during the Tactical Debrief.

Separation – When Officer Hawkins began following Cooper east on foot after the OIS and Officer Lucero moved around the front of the BMW and recovered the firearm from the driver's side door pocket, both Officers Hawkins and Lucero momentarily were out of line of sight of each other. As soon as Officer Lucero moved around to the front of the BMW, he was within line of sight of Officer Hawkins. During the UOFRB, it was presented by FID investigators that the officers were estimated to have been no more than 75 feet from each other. However, officers are reminded that separation can limit an officer's ability to effectively communicate or render immediate aid to one another. I will direct this be a topic of discussion during the Tactical Debrief.

Situational Awareness – When Officers Hawkins and Lucero conducted the traffic stop, there was another vehicle, with the door ajar, parked to the right of the BMW with an occupant in the driver's seat. Officer Lucero approached the passenger side of the BMW and advised the driver of the adjacent vehicle to stay in her vehicle. A short time later, the driver of the adjacent vehicle advised Officer Lucero she would be exiting her vehicle at which time, Officer Lucero moved out of the way and allowed her to exit. Officer Lucero was in a confined space between the two vehicles and did not communicate to Officer Hawkins that there was a potential tactical issue presented by the driver in the adjacent vehicle. Additionally, Officer Lucero did not communicate to Officer Hawkins that the driver in the adjacent vehicle was exiting and would be coming around and from behind Officer Hawkins. Officers Lucero is reminded to be cognizant of his surroundings and to communicate possible tactical concerns to his partner, which is vital in the ability to react and respond to threats that may arise during a tactical encounter. I will direct this be a topic of discussion during the Tactical Debrief.

Tactical Communication – Neither Officer Hawkins nor Officer Lucero communicated or verified with each other whether they were Code Six. Additionally, once Officer Lucero advised his partner there was a firearm in the BMW, neither officer communicated to each other what the best course of action should be. Officer Lucero also did not advise Officer Hawkins of the location where he had observed the firearm inside of the BMW. Once the OIS occurred, Officer Hawkins proceeded to follow Cooper without communicating to Officer Lucero. Officers Lucero and Hawkins are reminded that operational success is based on the ability of officers to

effectively communicate during critical incidents. When faced with a tactical incident, overall safety is improved by an officer's ability to recognize an unsafe situation and work collectively to ensure a successful resolution. I will direct this be a topic of discussion during the Tactical Debrief.

Preservation of Evidence – After the OIS, Officer Lucero moved to the driver's side door of the BMW, located the firearm in the driver's side door pocket, and secured it inside his right rear pants pocket. In this circumstance, Officer Lucero recovered Cooper's firearm while Officer Hawkins followed Cooper and while Mitchell was still being seated inside of the BMW. Officer Lucero made the decision to locate and secure the firearm and then follow his partner. In this case, the rapid escalation of the incident was a factor in the immediate securing of the firearm. However, to enhance future performance, officers are reminded that whenever tactically feasible, it is preferable to have an uninvolved officer guard evidence and leave it undisturbed until FID investigators can properly document and preserve the scene. If evidence must be moved, officers should don appropriate personal protective equipment, such as latex gloves, to minimize altering or contaminating the evidence. I will direct that this be a topic of discussion during the Tactical Debrief.

Command and Control

Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.

Command and Control is a process where designated personnel use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct personnel and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early consideration of the PATROL acronym will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, dated July 2018).

Sergeant Ruiz arrived at scene and declared himself the IC. He located and confirmed that Officers Hawkins and Lucero had been involved in an OIS and met with Detective Chin. Sergeant Ruiz directed Officer Lucero to turn off his BWV and took custody of the BWV device. He then obtained Officer Lucero's PSS and monitored Officer Lucero. Sergeant Ruiz also designated Sergeant Castellanos as the supervisor responsible for the separation and monitoring of Officer Hawkins.

Sergeant Castellanos arrived at scene and took possession of Officer Hawkins' BWV prior to obtaining his PSS. While doing so, Cooper's emotional family members and associates begin to walk into the crime scene area. Sergeant Castellanos addressed them in an attempt to de-escalate the family and guided them out of the immediate area to prevent the destruction of any potential evidence. Additionally, Sergeant Castellanos temporarily interrupted his obtaining of Officer Hawkins' PSS to transport Officer Hawkins to where Cooper was taken into custody for a field show-up. An expedited field show-up was necessary due to Cooper being transported by RA for his gunshot wounds. Sergeant Castellanos completed the PSS after the field show-up.

Sergeant Ortiz responded to the location where Cooper was taken into custody, assessed the scene and current assigned roles, and then facilitated setting up the Command Post near the OIS and perimeter location, which provided for sufficient ingress and egress routes. Additionally, Sergeant Ortiz took over as the IC and assisted with providing information and notifications to Sergeant Cohen. Sergeant Ortiz directed responding personnel to verify inner and outer perimeter containment and location of assigned units.

Sergeant Cohen notified the Department Operations Center (DOC) of the Categorical Use of Force (CUOF) incident and made other appropriate notifications.

Detective Chin utilized protective gloves and physically recovered Cooper's firearm from Officer Lucero's right, rear pants pocket. The firearm was placed in a manila envelope and safely secured in the trunk of Detective Chin's police vehicle. Detective Chin identified ballistic and blood evidence at the location of the OIS and perimeter and directed officers to secure those crime scenes.

The actions of Sergeants Ruiz, Castellanos, and Ortiz, as well as Detective Chin, were consistent with Department supervisory training and my expectations of a field supervisor during a critical incident.

The actions of Sergeant Cohen were consistent with Department supervisory training and met my expectations of a watch commander during a critical incident.

Tactical Debrief

In conducting an objective assessment of this case, the UOFRB determined, and I concur, the actions and tactics utilized by Officer Hawkins substantially, and unjustifiably, deviated from Department policy and tactical training, thus requiring a finding of Administrative Disapproval.

Additionally, in conducting an objective assessment of this case, the UOFRB determined, and I concur, that Officer Lucero's failure to ensure he and Officer Hawkins were Code Six, was a substantial deviation, with justification, from Department Policy, due to Officer Lucero's minimal field time as a probationary police officer.

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Although it was determined that Officers Sanchez and Placek would not receive formal findings, I believe that in order to enhance future performance, they would benefit from attending the Tactical Debrief to discuss this multi-faceted incident in its entirety.

Therefore, I will direct that Officers Hawkins, Lucero, Sanchez, and Placek attend a Tactical Debrief and that the specific identified topics are discussed.

Note: Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code Six);
- Tactical Planning;
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

General Training Update (GTU)

On May 31, 2019, Officers Hawkins and Lucero attended a GTU. All mandatory topics were covered, including the Force Option Simulator (FOS).

Drawing/Exhibiting

Department policy relative to drawing and exhibiting a firearm is: *"An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified"* (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).

Officer Hawkins

According to Officer Hawkins, as he was conversing with Cooper, who provided Officer Hawkins with his identification and vehicle paperwork, Officer Hawkins heard his partner order Cooper to straighten his leg. Officer Hawkins then focused on Cooper and Cooper's interaction with Officer Lucero. Officer Hawkins observed that Cooper had become defensive and talked back to Officer Lucero. As Cooper argued back and forth with Officer Lucero, Officer Lucero alerted Officer Hawkins to a firearm in Cooper's vehicle. Officer Hawkins believed Cooper had the firearm *under his left leg* based on Officer Lucero's interaction with Cooper.

According to the FID investigation, Officer Lucero's BWV captured him stating, "Hey partner, I think we got a gun in the car." Officers Hawkins immediately unholstered his service pistol.

Officer Hawkins recalled,

So, then my partner he -- he alerts. He says, "Gun. Hey, partner, he's got a gun in the car." So, at that time, you know, I -- I -- I position myself where I can cover the -- the driver so I take an angle and I draw my weapon.¹⁴

And I give him order, hey, you know, "Don't move." You know, "Get your hands up." You know, "Don't move. Don't move." And, you know, he throws his hands up so I could see that his hands are free. And, you know, and I'm aware of where my partner said that he saw the gun, you know, from the movements whatever. I couldn't see a gun at that time but, you know, based on the information that I was receiving from my partner and the way this guy was action -- acting, I believed there was a gun under this guy's left leg.¹⁵

Just, you know, the -- the standard three-point technique with the -- with the single-arm draw where, you know, I grasped my weapon, released the -- the -- the strap that secures my weapon and then I -- I -- I got it up to a low-ready position and brought it up to a cover position. But with -- with -- with my single right arm because of my close contact the room I had I couldn't fully extend so I actually had to reposition myself towards the target being the driver officer where I can get my gun to a -- a -- a ready position to engage if immediate threat came to myself or my partner.¹⁶

Officer Lucero

According to Officer Lucero, from the beginning of their traffic stop, Cooper was looking back and forth at Officer Lucero and Officer Hawkins and became very agitated and defensive as Officer Lucero looked inside the vehicle with his flashlight. Officer Lucero believed he observed the butt of a firearm in the driver's side door pocket and focused on that area of the vehicle. Officer Lucero asked Cooper to move his left leg so Officer Lucero could get a better viewing angle of the door. Cooper was uncooperative but did move his leg eventually, and by doing so, Cooper's leg hit the door, which pushed the firearm, allowing Officer Lucero to positively identify there was a firearm. Officer Lucero communicated to his partner and stated, "Partner, gun,"

According to the FID investigation, Officer Lucero's BWV captured him stating, "Hey partner, I think we got a gun in the car." Officers Lucero immediately unholstered his service pistol.

Officer Lucero recalled,

I was clearing the vehicle with my flashlight and then as that occurred I then on the driver's side door on, I guess, you could say has a pocket, the driver's side door pocket there was a -- what looked to be a -- a butt of a gun upside down.¹⁷

¹⁴ Officer Hawkins, Page 14, lines 21-25.

¹⁵ Officer Hawkins, Page 15, lines 1-10.

¹⁶ Officer Hawkins, Page 33, lines 7-18

¹⁷ Officer Lucero, Page 6, lines 21-25.

I advised the driver to go ahead and straighten out his legs so I could get a better view of the -- the possible handgun. At that point the driver became a little agitated and nervous. I tried to deescalate the situation by telling the driver to remain calm. As the driver then straightened out his left leg I was able to identify the handgun. At that point, I advised my partner, my training officer that was just outside of the driver's side door that there was a gun. And then at that -- at that point I unholstered, gave commands to the driver. My partner -- my training officer Officer Hawkins also was providing questions to the driver. At that point, my training officer said, "Don't reach for the -- the gun."¹⁸

When I identified the gun, I identified it to my partner. I said, "Partner, gun." As I said that both my partner I unholstered and we gave him verbal commands, "Don't touch the gun" and to step out of the vehicle.¹⁹

Because the officer's decision to draw or exhibit a firearm should be based on the tactical situation to a point where an officer's decision may lead to a point where deadly force may be justified.²⁰

So, I went to my right hand. I'm a right-handed. I grabbed the butt of my gun and I pulled the lever down with my right thumb, pushed it down and then I also went with my right thumb unholstered my ALS which is another like a switch on my gun another safety so that way I could release my -- my weapon from my holster. As I did that, I had it at the low-ready position with the finger off the trigger and just told the driver to get out of the vehicle.²¹

The UOFRB conducted a thorough review and evaluation of the reasonableness of Officer Hawkins' Drawing/Exhibiting. The UOFRB noted that Officer Hawkins drew his service pistol after Officer Lucero advised him that there was a firearm in the BMW and as Cooper began to reverse the BMW. Officer Hawkins immediately ordered Cooper to stop and put his hands up. Officer Hawkins, knowing that the firearm was in arm's reach of Cooper and Cooper's immediate attempt to flee and escalate the encounter, led to Hawkins reasonable belief that the situation could escalate to the point of deadly force.

The UOFRB conducted a thorough review and evaluation of the reasonableness of Officer Lucero's Drawing/Exhibiting. The UOFRB noted that Officer Lucero was the cover officer and was in the process of clearing the passenger compartment of Cooper's vehicle with his flashlight when he observed the "butt" of a firearm in the driver's side door pocket. As Officer Lucero attempted to get Cooper to move his leg so he could get a better view and confirm his observation, Cooper began to become agitated and verbally argumentative. When Officer Lucero confirmed that there was firearm inside of the BMW, he communicated to Officer Hawkins that there was a firearm in the vehicle. Cooper began to immediately reverse his vehicle in an attempt to flee, as Officer Lucero drew his service pistol and ordered Cooper to stop. Officer Lucero, based on the fact he observed a firearm within arm's reach of Cooper, had

¹⁸ Officer Lucero, Page 7, lines 1-13.

¹⁹ Officer Lucero, Page 18, lines 20-24.

²⁰ Officer Lucero, Page 19, lines 1-4.

²¹ Officer Lucero, Page 19, lines 9-17.

a reasonable belief that the tactical situation could escalate to the point where deadly force may be justified, and Officer Lucero drew his service pistol.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers Hawkins and Lucero, while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, I find Officers Hawkins' and Lucero's Drawing/Exhibiting to be In Policy, No Further Action.

Use of Force – General²²

It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:

- *Defend themselves;*
- *Defend others;*
- *Effect an arrest or detention;*
- *Prevent escape; or,*
- *Overcome resistance (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

The Department examines reasonableness using Graham v. Connor and from the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience placed in generally the same set of circumstances. In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:

- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*

²² Special Order No. 4, 2020 – Policy on the Use of Force - Revised, was adopted by the Department on February 5, 2020, after this incident occurred.

- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

Lethal Use of Force

Law enforcement officers are authorized to use deadly force to:

- *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
- *Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*
- *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury.*

The reasonableness of an Officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force (Los Angeles Police Department Manual, Volume No.1, Section 556.10).

Officer Hawkins - .45 caliber, three rounds in an easterly direction, in two volleys of fire, at an approximate increasing distance of three to twenty-one feet.

Volley One – Two rounds in an easterly direction.

According to Officer Hawkins, he grabbed Cooper's left wrist with his left hand and Officer Hawkins held his service pistol in his right hand, in a close contact position, near his right hip. Officer Hawkins observed and described a firearm sitting on the driver's seat. Officer Hawkins felt Cooper tense up and attempt to pull away. Officer Hawkins was unable to see the firearm on the driver's side seat that Officer Hawkins had previously observed. Officer Hawkins then observed the butt of the firearm in Cooper's right hand as Cooper turned his body to his left towards Officer Hawkins. Officer Hawkins believed Cooper was turning towards him to point the firearm at Officer Hawkins and shoot him. Officer Hawkins believed that if he did not react to Cooper's movements and protect himself, Officer Hawkins would be shot. Officer Hawkins responded by discharging his service pistol and firing two rounds from three feet away.

Officer Hawkins recalled,

So, as he's stepping out of the car with his free -- he had a free arm exposed. I clasped his free arm, you know, thinking I can control him away from the car and as I'm pulling him out away from the car I can see a gun sitting on the seat.²³

And then he turned, you know, so I'm now controlling him because I got him away from the weapon, you know, for a period of time but he reaches down. And when reached down I look and the gun is gone and I see the butt of, you know, the back end of a pistol in his hand -- in his -- in his hand. It looked like, you know, like maybe a medium small size auto, you know, blue steel type. So, at that time I'm thinking, you know, this guy he's got a gun he's, you know. So, and, you know, my partner alerted me. I see it. I got him by the hand but he's -- he's got the gun in his hand now. So, you know, I kind of like I'm pulling and I'm pushing him away from me. He turned. And he turns -- he turns his body towards me. And at this time, I'm thinking he's going to turn and shoot at me so that's when I release him, you know, to get -- give me some space between him where I can get my -- my gun body level and then that's when I fired. I fired. I went to fire a double tap so I fired one round and then two rounds and he -- and he was spun. Like he spun between the door.²⁴

When he turned right and then he started turning again and I looked and I didn't see the gun on the seat. I saw the butt of the gun in his right hand. He turn -- he's trying to turn back to face me so he's turning to the left in an attempt to turn and point the gun at me.²⁵

That was an instance where I didn't, you know, because you know, I made the decision to separate and prepare to engage because he -- I had no doubt that he was turning his weapon to engage me. So that's why it's my feeling. I mean it -- it was -- it was -- there's -- there was no feeling more than there was a reaction. You know, the feeling, the feeling was if I didn't react to his movements to protect myself that I was going to be shot.²⁶

Volley Two -- One round in an easterly direction.

According to Officer Hawkins, as Cooper fled east on foot down the walkway, Cooper maneuvered around the BMW's open vehicle door. Officer Hawkins stated he observed Cooper turning towards him again with the firearm in Cooper's right hand and believed Cooper was still coming up to shoot at Officer Hawkins. Officer Hawkins responded by firing a third round.

Officer Hawkins recalled,

But as he spun he turned towards me with the gun arm again and I do another round

²³ Officer Hawkins, Page 16, lines 19-23.

²⁴ Officer Hawkins, Page 16-17, lines 24-25 and 1-20.

²⁵ Officer Hawkins, Page 41, lines 9-11 and 14-16.

²⁶ Officer Hawkins, Page 55, lines 13-16 and 18-22.

downrange in his direction at him. I'm doing the center mass thinking I'm shooting at him before he fires another round at me and then he takes off running.²⁷

And as he maneuvered around the open door he turned towards me again with the gun in his hand or which I believe -- I can't -- he turned towards me with the hand that I saw the gun in and believing he was still coming up to shoot again I fired another round.²⁸

The UOFRB conducted a lengthy, thorough review and analysis of the reasonableness of Officer Hawkins' use of lethal force and considered the details of the officers' encounter with Cooper and Mitchell, including the escalation of Cooper's actions as he attempted to flee once Officer Lucero notified Officer Hawkins about his observation of a firearm inside the BMW.

The UOFRB noted that Cooper was initially cooperative with the officers until Officer Lucero began to focus in on the driver's side door of the BMW. Cooper began to become verbally agitated and did not comply with Officer Lucero when asked to move his left leg. Cooper then immediately attempted to reverse BMW and flee when Officer Lucero communicated his observation that there was a firearm in the vehicle. Officer Lucero's observation, in conjunction with Cooper reversing the vehicle, led to both officers drawing their service pistols. Cooper then stated, "I'm getting out of the car," to which Officer Lucero advised Cooper to remain inside of the BMW. Cooper continued to disregard Officer Lucero's directions.

The UOFRB noted that Officer Hawkins believed that he had observed a firearm on the driver's side seat and described the weapon. The UOFRB noted that there was no physical or video evidence that corroborated Officer Hawkins' observation. However, the UOFRB considered that Officer Lucero did not communicate the specific location of the firearm inside of the BMW to Officer Hawkins. The UOFRB noted that Officer Hawkins believed the firearm was under Cooper's left leg based on Officer Lucero's flashlight being pointed at Cooper's legs, as well as Officer Lucero asking Cooper to move his left leg in order to get a better view of the driver's side door pocket.

The UOFRB noted that Officer Hawkins believed the firearm was under Cooper's left leg when Cooper exited the vehicle. According to Officer Hawkins, he clasped Cooper's left arm, and as Cooper exited the BMW, Officer Hawkins observed a firearm on the seat. Officer Hawkins observed Cooper then reach down and at that point, Officer Hawkins noticed that the firearm was no longer on the seat. Officer Hawkins further stated he then observed the back end of a firearm in Cooper's right hand and believed that Cooper had armed himself as he exited the BMW. This happened simultaneously as Officer Hawkins gripped Cooper's left wrist with his left hand. As Cooper broke free from Officer Hawkins grasp, Cooper turned his body to his left which, according to Officer Hawkins, led Officer Hawkins to believe Cooper was turning with a firearm held in Cooper's right hand with the intention of shooting him. In response to the deadly threat that Cooper presented, Officer Hawkins pushed Cooper forward in order to gain some distance and fired two rounds from a close contact position. Officer Hawkins stated that he observed that Cooper moved east around the open driver's door and once again turned his body to his left with

²⁷ Officer Hawkins, Page 17-18, lines 24-25 and 1-3.

²⁸ Officer Hawkins, Page 43, lines 5-9.

a firearm in his right hand which Officer Hawkins believed indicated Cooper's intention to shoot Officer Hawkins. Officer Hawkins took a two-handed shooting grip and fired one round to address the deadly threat presented by Cooper's actions. Officer Hawkins stopped firing when he believed Cooper had moved too far away to be a threat to Officer Hawkins.

The UOFRB noted that Officer Lucero had stated the word "gun" multiple times during the incident. Officer Lucero stated that he observed a firearm in the car initially and stated, "Partner, we have a gun," as Cooper exited the vehicle. Based on Officer Hawkins belief that the firearm was under Cooper's left leg and that Officer Lucero stated, "We have a gun," as Cooper exited the vehicle, the UOFRB opined that these factors may have had a substantial impact on Officer Hawkins' belief that Cooper had armed himself with the firearm and intended to shoot him. The UOFRB noted that Officer Hawkins followed up with assessments between volleys and believed Cooper still possessed a firearm in his hand. In addition, Officer Hawkins was captured on BWV advising CD that Cooper was "armed" and fleeing southbound after the OIS had occurred. The UOFRB considered the rapidly unfolding tactical situation, Cooper's increased aggression toward Officer's Hawkins and Lucero throughout the traffic stop and investigation, and that Cooper lifted his left leg to purposefully conceal the firearm in the door or another firearm under his leg. The UOFRB also considered that Cooper's continued escalation and insistence to exit the BMW may have been an indication of Cooper's mindset.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officer Hawkins, would reasonably believe Cooper's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, I find Officer Hawkins' Use of Lethal Force to be In Policy, No Further Action.

Officer Lucero – 9mm, 3 rounds, in a northeasterly direction from an increasing distance of 14 to 18 feet.

According to Officer Lucero, he observed Cooper reach for the firearm in the driver's side door pocket with his left hand as Cooper exited the BMW. Officer Lucero heard Officer Hawkins state, "Turn around" and then heard a single gunshot. Officer Lucero believed Cooper had armed himself with the firearm and shot his training officer (Officer Hawkins). According to Officer Lucero, as Cooper fled east on foot, Officer Lucero stated Cooper was holding his left arm bent at the elbow with his forearm across his body parallel to the ground. As Cooper fled east on foot, Cooper made eye contact with Officer Lucero and as Cooper was running, Cooper was pointing the firearm. Cooper turned to his right facing Officer Lucero. Officer Lucero feared for his life and that Cooper was going to shoot Officer Lucero. Officer Lucero also feared for his partner's safety, believing Cooper had already shot his partner (Officer Hawkins). Officer Lucero further explained that he was "really scared and terrified." Officer Lucero thought Cooper was "going to kill him" and fired three rounds at Cooper.

Officer Lucero recalled,

When the driver stepped out of the vehicle it had seemed to me from my angle that the driver was opening the door at the same time. It looked like he was reaching for the gun. When he got out of the vehicle the driver then had a small what looked like to be a [sic] altercation with my partner. I believe he fired one round to my training officer and at that point I heard multiple shots fired. As the driver was running eastbound towards Broadway I believe on his left hand, on his left side the driver had a possible weapon and fearing for my life it seemed to me that he was -- he was point -- he was going to point it at me. He made the motion that he was, you know, he turned his body to the -- to the right slightly. At that point I fired three rounds towards the suspect that was -- that fled the scene.²⁹

At that point when I heard my partner say turn around I hear one shot go off. I believe it was the suspect that was -- had just shot at my officer -- my training officer. As he does that he takes off running eastbound towards Broadway. As he's -- as he's turning -- as he's running towards Broadway, I believe he has a second -- the gun in -- in his possession. As he does that, he slightly like turns around looking at me. I make eye contact and, you know, it seemed that he was pointing -- pointing the gun like as he's running, he turns to his right facing me and then when he does that identify what I believe was a gun and then I fired three shots.³⁰

It's -- I know it was a -- it was like a [sic] out -- like a figurine of a -- like a -- of a -- of a gun, sir, but it was -- it was dark and it happened so quick.³¹

Fear for my partner's safety that believing that he already had shot my partner. I believed that he was going to go ahead and shoot me and kill both of us or.³²

I -- I was scared. I was really, really scared, sir...I thought he was going to kill me. I was -- I was terrified.³³

The UOFRB conducted a thorough review and analysis of the reasonableness of Officer Lucero's use of lethal force and considered the details of the officers' encounter with Cooper, including the escalation of Cooper's actions in his attempt to flee when Officer Lucero observed the firearm located in the driver's side door pocket.

The UOFRB noted that Cooper was initially cooperative with the officers until Officer Lucero began to focus in on the driver's side door of the BMW. Cooper began to become verbally agitated and did not comply with Officer Lucero when asked to move his left leg. Cooper then immediately attempted to reverse the BMW and flee when Officer Lucero communicated his observation that there was a firearm in the BMW. Officer Lucero's observation, in conjunction

²⁹ Officer Lucero, Page 7-8, lines 16-25 and 1-7.

³⁰ Officer Lucero, Pg. 25, lines 12-25.

³¹ Officer Lucero, Pg. 26, lines 9-12.

³² Officer Lucero, Pg. 28 lines 1-4.

³³ Officer Lucero, Page 41, lines 6-7 and 10-11.

with Cooper reversing the vehicle, led to both officers drawing their service pistols. Cooper then stated, "I'm getting out of the car" and began to exit the BMW.

The UOFRB noted Officer Lucero directed Cooper to stay in the vehicle, however Cooper was insistent and intent on exiting the vehicle and was in the process of affirmatively doing so. When Cooper exited the vehicle, Officer Lucero stated that he observed Cooper reaching for the firearm and heard a momentary altercation between Officer Hawkins and Cooper, followed immediately by a gunshot. Officer Lucero believed Cooper had armed himself with the firearm and shot Officer Hawkins. The UOFRB considered Officer Lucero's fear for the safety of Officer Hawkins. Officer Lucero believed Cooper had armed himself with a firearm, and upon exiting the BMW, had shot Officer Hawkins at close range. As Cooper fled east on foot, Officer Lucero observed Cooper turn to his right and make "eye contact" with Officer Lucero. According to Officer Lucero, Cooper turned to his right and pointed his left hand at Officer Lucero, which Officer Lucero believed to be holding a firearm. Officer Lucero believed that Cooper's intention, after shooting Officer Hawkins, was to shoot and kill Officer Lucero. Officer Lucero fired three rounds in response to the deadly threat presented by Cooper. Officer Lucero stopped firing once Cooper was out of his line of sight and was no longer an imminent threat to Officer Lucero and his partner, Officer Hawkins. Under stressful and uncertain circumstances, Officer Lucero was forced to make a decision to use lethal force in what was a rapidly unfolding tactical situation.

Based on the totality of the circumstances, the compressed time frame to make a decision, and the perception and knowledge known to Officer Lucero at the time, the UOFRB determined, and I concur, that an officer with similar training and experience as Officer Lucero, would reasonably believe Cooper's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, I find Officer Lucero's Use of Lethal Force to be In Policy, No Further Action.

Additional/Equipment

BWV Timestamp – The FID investigation revealed that the timestamp of Officer Lucero's BWV was five minutes and 21 seconds ahead. The FID Video Technology Unit determined that the discrepancy was caused by Officer Lucero's BWV device, which had been loaned to Officer Lucero at the start of his watch. The loaned BWV device had not been docked prior to Officer Lucero's Start of Watch which led to the BWV timestamp not synchronizing.

Captain E. Tingirides, Serial No. 31546, Commanding Officer, Southeast Patrol Division, addressed this issue by ensuring the kit room is staffed with regularly assigned personnel and the Area Training Coordinator will ensure standardized protocols are in place for loaned BWV cameras.

BWV Activation – According to the FID investigation, Officer Placek's BWV was activated late. Officer Placek stated that he was in the process of deactivating his BWV on his current unrelated call when Officer Hawkins' back-up request was broadcast. While Officer Placek and Officer Sanchez responded to the back-up request, Officer Placek did not realize he had

deactivated his BWV. After Cooper was taken into custody, Officer Placek observed that his BWV was not on and immediately activated it. Additionally, Officer Placek's first video of the incident was interrupted due to Officer Placek's seatbelt accidentally swiping the switch at the top of the BWV device which shut off the BWV. Officer Placek observed that his BWV had been deactivated and immediately reactivated it again. Officer Placek was within the 90-day acclimation period for BWV procedures.

Profanity – The investigation revealed Officer Placek utilized profanity when he advised his partner, Officer Sanchez, that he had accidentally forgot to activate his BWV prior to them taking Cooper into custody. This issue was brought to the attention of Captain E. Tingirides, Serial No. 31546, who addressed this issue through informal counseling. The Commanding Officer of Operations - South Bureau and the Director of the Office of Operations concurred with this action. As such, I deem no further action is necessary.

Audio/Video Recordings

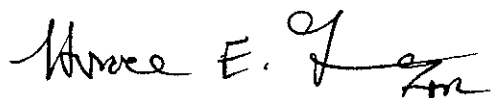
DICVS – Units assigned to Southeast and 77th Street Patrol Divisions were equipped with DICVS. Officers Hawkins and Lucero's DICVS was activated during the traffic stop and captured the traffic violation. There was no DICVS video footage of the OIS due to the angle of Officers Hawkins and Lucero's police vehicle, however, the audio of the OIS and the aftermath was captured. The DICVS from the other responding units were analyzed and found to have no evidentiary value to this investigation.

BWV – Officers assigned to Southeast and 77th Street Patrol Divisions were equipped with BWV. Officers Hawkins and Lucero's BWV recorded footage including the traffic stop and the OIS. Officer Tudor's BWV recorded footage of the arrest of Cooper. Officers Placek, Sanchez, and Martinez' BWVs recorded footage of the foot pursuit and arrest of Cooper.

Chief's Direction

I have directed the Commanding Officer of Professional Standards Bureau to conduct an assessment of their protocols in making notifications to Office of Special Operations – Detective Bureau and Metropolitan Division when responding to CUOF investigations where an article search may be warranted. It is important that resources at the Department's disposal are fully utilized to gather pertinent evidence during CUOF investigations for transparency, as well as investigative integrity.

Respectfully,



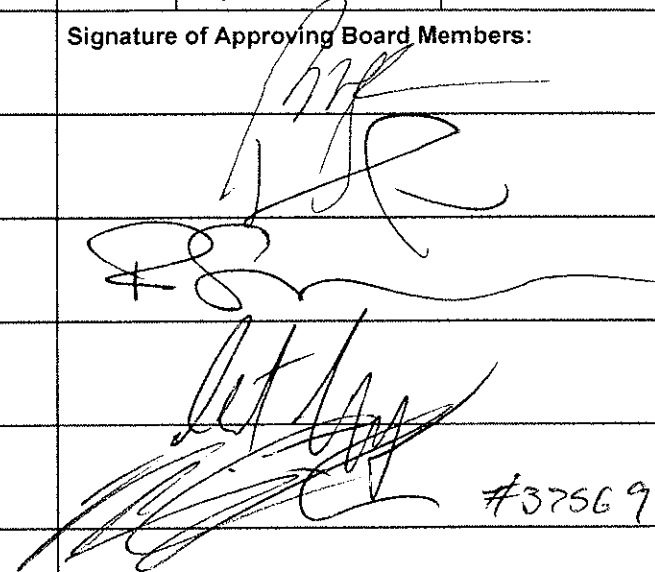
MICHEL R. MOORE
Chief of Police

Date: 3/12/2020

LOS ANGELES POLICE DEPARTMENT
USE OF FORCE REVIEW BOARD REPORT

INC No. 020-19	CF No.	DR No. 19-1812580
SHOOTING		

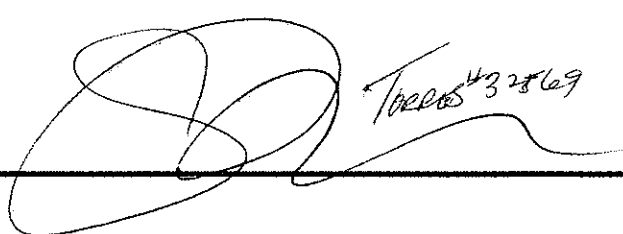
REVIEW BOARD INFORMATION

Location of Incident 10819 S. Broadway	RD 1842	Date of Incident May 20, 2019	Date and Time of Board Review February 20, 2020 1100 Hours
Chair Assistant Chief B. Girmala, Serial No. 24916	Signature of Approving Board Members:		
Member (Office Representative) Commander M. Rimkunas, Serial No. 32211			
Member (Police Sciences and Training Bureau) Commander R. Flores, Serial No. 30995			
Member (Bureau) Commander E. Eskridge, Serial No. 24585			
Member (Peer) Police Officer M. Cerniglia, Serial No. 37569			
Presenting Commanding Officer Captain E. Tingirides, Serial No. 31546			
Notes:			
<p style="text-align: right;">RECEIVED MAR 17 2020 OFFICE OF THE INSPECTOR GENERAL</p>			
Additional Considerations:			
Modification to Present Policy, Practices or Training:			
<p style="text-align: right;">RECEIVED POLICE COMMISSION 2020 MAR 12 PM 4:21</p> <p> <input checked="" type="checkbox"/> COP Date Signed: <u>3/12/20</u> <input checked="" type="checkbox"/> PC Date Submitted: <u>3/12/20</u> </p>			

Employee (Last Name, First, Middle) Hawkins, Windle		Serial No. 25889	Rank/Class Police Officer III	Incident No. 020-19
Length of Employment 31 years, 1 month		Current Division Southeast	Time in Current Division 25 years, 1 month	

Use of Force Review Board	Chief of Police	Police Commission
<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval
<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)
<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)

Notes: *STARRS #32569* *STARRS #32869*



<u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed	Notes:
---	--------

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**

Employee (Last Name, First, Middle) Lucero, Rudy		Serial No. 43804	Rank/Class Police Officer I	Incident No. 020-19
Length of Employment 0 years, 5 months	Current Division Southeast		Time in Current Division 1 week, 1 day	

Use of Force Review Board	Chief of Police	Police Commission
<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval
<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)
<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)

Notes: Torres #32568 STORRES #32569

<u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed	Notes:
---	--------

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**